H.B. NO. 1672

A BILL FOR AN ACT

RELATING TO SPECIAL IMPROVEMENT DISTRICTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1   SECTION 1. The legislature finds that Act 107, Session

2   Laws of Hawaii 1999 (Act 107), authorized the counties to create

3   special improvement districts to provide supplemental financial

4   support to these districts for the purpose of restoring or

5   promoting business activity. The legislature also finds that

6   since the enactment of Act 107, the needs and demands in these

7   districts have broadened to include the management or mitigation

8   of environmental and other conditions that impact natural

9   resources. More specifically, the legislature finds that Hawaii

10   is being exposed to a variety of threats that impact its

11   environment and ecosystems, including coastal hazards and

12   effects of climate change such as the increase in the frequency

13   and severity of storms and drought, sea-level rise, groundwater

14   inundation, and coastal erosion. These threats are of

15   particular concern to the State due to its island topography and

16   substantial coastal exposure.

1   The purpose of this Act is to emphasize the counties'

2   authority to create special improvement districts by expanding

3   the objective of these districts to include the protection,

4   preservation, and, where desirable, restoration and improvement

5   of environmental quality.

6   SECTION 2.   Section 46-80.5, Hawaii Revised Statutes, is

7   amended by amending subsection (a) to read as follows:

8   "(a)   In addition and supplemental to the authority vested

9   in the counties by sections 46-80 and 46-80.1, any county having

10   a charter may enact an ordinance, and may amend the same from

11   time to time, authorizing the creation of special improvement

12   districts. [for the purpose of] The purposes of creating the

13   districts include but are not limited to providing and

14   financing:

15   (1)   [supplemental] Supplemental maintenance and security

16   services;

17   (2)   Environmental research, restoration, and maintenance;

18   (3)   Natural resource management;

19   (4)   Natural hazard mitigation; and [such other]

20   (5)   Other improvements, services, and facilities within

21   the special improvement district as the council of the

H.B. NO. 1672

1   county determines will improve environmental

2   conditions, provide community benefits, and restore or

3   promote business activity in the special improvement

4   district and the making and financing of improvements

5   therein.

6 Each separate special improvement district shall be established

7 by a separate ordinance enacted as provided in the ordinance

8 authorizing the creation of special improvement districts. The

9 ordinance authorizing the creation of special improvement

10 districts may permit the county to provide for a board or

11 association, established pursuant to chapter 414D, to provide

12 management of the special improvement district, and to carry out

13 activities as may be prescribed by the ordinance authorizing the

14 creation of special improvement districts and the ordinance

15 establishing the special improvement district as permitted

16 thereby."

17   SECTION 3. This Act does not affect rights and duties that

18 matured, penalties that were incurred, and proceedings that were

19 begun before its effective date.

20   SECTION 4. Statutory material to be repealed is bracketed

21 and stricken. New statutory material is underscored.

H.B. NO. 1672

1   SECTION 5.   This Act shall take effect upon its approval.

2

INTRODUCED BY: _____

JAN 2 1 2022

Report Title:
Special Improvement District; Environmental Protection; County
Government; Natural Resource Management

Description:
Expands the purpose and rationale for which counties may create
special improvement districts to include environmental research,
restoration, and maintenance; natural resource management; and
natural hazard mitigation to improve environmental conditions
and provide community benefits.

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

2022-0524 HB SMA.doc